

Grandparents

Contact with your grandchildren



If you are being denied access to your grandchildren, there are steps you can take, with the help of Burnetts Childcare team to regain contact whether it's just an exchange of gifts and photographs or sleepovers and holidays.

Even if you have been previously unable to agree contact with your grandchild's parent(s), sometimes a simple letter from us to the parents can be enough to get relationships back on track.

Mediation is also an option where there are underlying issues which really need to be addressed. Working with an experienced mediator, you can meet with the parents on neutral ground to discuss and resolve the issues which are stopping you from seeing your grandchild.

If letters and mediation fail, your next step is to go through a family court for permission to apply for a Contact Order.

A Contact Order compels the person with whom a child lives to allow the child to visit or stay with whomever is named in the Contact Order, or to have some other form of contact.

The Court is often sympathetic to grandparents' applications – contact is the right of the child and usually in the child's best interest. There is broad acceptance that grandparents are important and enrich a child's life.

To speed up the process, the application for permission to apply for a Contact Order and the application for the Contact Order itself are usually submitted together.

If permission to apply for a Contact Order is granted, a date for a Dispute Resolution Hearing will be set.

The Dispute Resolution Hearing is no more than a meeting between the judge, you, the parents (or the Local Authority if your grandchild is in care), your legal representatives and a CAFCASS (Children And Family Court Advisory and Support Services) Officer. This meeting is another opportunity to openly discuss the issues and objections. Often, the type of and frequency of contact is agreed here.

If matters are still not agreed, another Court hearing date will be set for three or four months later. You, the parents and any other parties will file statements of your position. If the parents are arguing that you are, in some way, unfit to have contact, the CAFFCASS officer would make checks with relevant agencies like the Police or your GP.

At the final hearing, the Judge considers all the evidence and makes his decision based on what is in the best interests of your grandchild.

What Will it Cost?

Costs vary depending on the stage at which your particular case is resolved. Even when a case ends up at a final hearing, the costs are rarely above £2,500. Where possible, we will invoice regularly throughout the process rather than giving you a big bill at the end.

Depending on your financial circumstances, you may be eligible for Public Funding (Legal Aid).

For further advice about grandparents' rights and contact, contact Simon Mortimer or Amy Fallows on **01228 55 22 22**.

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